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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,464	12/04/2003	Tomohiro Saito	211A 3508	6267
3713	7590	01/05/2005	EXAMINER	
KODA & ANDROLIA 2029 CENTURY PARK EAST SUITE 1430 LOS ANGELES, CA 90067-3024			SPECTOR, DAVID N	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,464

Applicant(s)

SAITO ET AL.

Examiner

David N. Spector

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003 and 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20040409</u> . | 6) <input checked="" type="checkbox"/> Other: <u>DETAILED ACTION</u> . |

DETAILED ACTION

Objections – Claims

In regard to Claim 1 Claim 1 objected to because the formula and definitions presented within square braces in the last eight lines of the claim is confusing, inasmuch as said braces are generally used to denote matter which should be or has been deleted. The aforesaid formula and definitions should be incorporated directly into the body of the claim. Appropriate correction is required.

In regard to Claims 7-9 Claims 7-9 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim (MPEP § 608.01(n)). Accordingly, the claims 7-9 have not been further treated on the merits.

Objections – Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the parameters d_1 ; d_2 ; d_3 ; fl ; f_1 ; and L must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ishibai et al. (U.S. Patent No. 5,116,830).

In regard to Claim 1 Ishibai et al. discloses an imaging lens system (FIG. 1, ref. L1) used for forming an image of an object on an image taking surface of a solid image sensor element **G** (col. 3, ln. 31-34), comprising a first lens **L1** which is a meniscus lens with its convex face **31** turned toward the object side and having a positive power (col. 3, ln. 35-41), a diaphragm **35** (col. 3, ln. 61-66), and a second lens **L2** which is a meniscus lens with its concave face **33** turned toward the object side (col. 3, ln. 42-48), said first lens, said diaphragm and said second lens being disposed sequentially in the named order from the side of the object toward an image surface. Claim 1 is therefore clearly anticipated by Ishibai et al.

In regard to Claim 2 Ishibai et al. discloses an imaging lens system (FIG. 1, ref. L1; Example 5) comprising a first lens **L1** which is a meniscus lens with its convex face **31** turned toward the object side and having a positive power (col. 3, ln. 35-41), and which has a main power, a diaphragm **35** (col. 3, ln. 61-66), and a second lens **L2** which is a meniscus lens with its concave face **33** turned toward the object side (col. 3, ln. 42-48), said first lens **L1**, said diaphragm **35** and said second lens **L2** being disposed sequentially in the named order from the side of the object toward an image surface. Under conditions set forth in Ishibai et al. (Example 5; col. 7, ln. 49-65; Table 1), $d_2/fl = 0.09$ which satisfies the relationship $d_2/fl < 0.1$, and $\Phi_{air}/\Phi = -2.39$ which satisfies the relationship $-4.0 < \Phi_{air}/\Phi < -2.5$. Claim 2 is therefore clearly anticipated by Ishibai et al.

In regard to Claim 3 Ishibai et al. discloses an imaging lens system (FIG. 1, ref. L1; Example 5) according to independent claim 2 from which claim 3 depends; wherein $(d_1 + d_2 + d_3)/fl = 0.452$, which thus satisfies the relationship $0.4 < (d_1 + d_2 + d_3)/fl < 0.7$. Claim 3 is therefore clearly anticipated by Ishibai et al.

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Examiner's Comment – Additional Rejections

Claims 1 and 2 of the instant application are also clearly anticipated by Koike (U.S. Patent No. 6,335,835; FIG. 3; Table 1); while claim 1 itself is also clearly anticipated by either of Hirano et al. (U.S. Patent No. 5,677,798; FIG. 1; Table 1), or Simpson Jr. et al. (U.S. Patent No. 5,000,552; Examples 1-4).

Other Remarks/Information

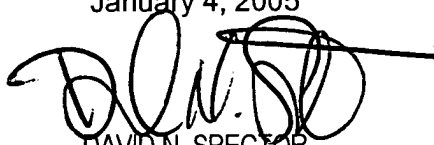
Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: the invention commensurate with claims 4-6 (as amended above) is distinguished over the prior art made of record by simultaneously satisfying the six conditional expressions recited in claim 4 of the instant application.

The disclosure of Kaneko (EP 1 426 805 A1) is equivalent to the instant application, and includes an European Search Report relevant to the instant case.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any other inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Spector whose telephone number is (571) 272-2338. The examiner can normally be reached at this number Monday through Friday between 6:00 AM and 2:30 PM. The fax number for the organization where this application is assigned is (703) 872-9306.

January 4, 2005



DAVID N. SPECTOR
PRIMARY EXAMINER